

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LAURA KELLY,
on behalf of herself and
all others similarly situated,

Plaintiff,

Case No. 20-cv-0130-bhl

v.

HUDAPACK METAL TREATING INC,

Defendant.

FINAL ORDER APPROVING SETTLEMENT

On April 15, 2021, the parties filed their Joint Motion for Preliminary Approval of Class Action Settlement and Class Certification for the Purposes of Settlement, (ECF No. 21), and their fully executed Settlement Agreement and Release, (ECF No. 21-1), in this dual Rule 23 class action and Fair Labor Standards Act (FLSA) collective action. On April 20, 2021, the Court granted preliminary approval according to the settlement. (ECF No. 22.)

On June 3, 2021, the parties filed a Joint Motion for Final Approval of Settlement, (ECF No. 27), and Plaintiff's counsel filed an unopposed Motion for Approval of Plaintiff's Service Award, (ECF No. 28), and an unopposed Motion for Approval of Attorneys' Fees and Costs, (ECF No. 29).

On June 24, 2021, the Court conducted a Fairness Hearing on the parties' request for final approval of their Settlement Agreement and Release and determined that the settlement in this matter, Plaintiff's counsel's attorneys' fees and case-related costs and expenses, and Plaintiff's service award were fair and reasonable. Based on the parties' submissions and the representations of Counsel, the Court **FINDS**:

1. The Settlement Agreement is a fair, reasonable, and adequate resolution pursuant to Fed. R. Civ. P. 23(e).
2. The Settlement Agreement is a fair and reasonable resolution of a bona fide dispute under the FLSA.

3. Plaintiff's service award in the amount of \$3,000 is reasonable.
4. Plaintiff's request for attorneys' fees and case-related costs and expenses in the amount of \$25,000 is reasonable.

IT IS THEREFORE ORDERED:

1. The Court's previous provisional appointments of Laura Kelly as Class Representative and Walcheske & Luzi, LLC as Class Counsel, and its provisional certification of the Proposed Rule 23 Class and FLSA Collective are made **FINAL**.
2. The parties' Joint Motion for Final Approval of Settlement, ECF No. 27, is **GRANTED**.
3. Plaintiff's Motion for Approval of Plaintiff's Service Award, ECF No. 28, is **GRANTED**.
4. Plaintiff's Motion for Approval of Attorneys' Fees and Costs, ECF No. 29, is **GRANTED**.
5. The payments to the Settlement Class, including members of the Rule 23 Class and FLSA Collective, are approved. The funds should be distributed in a manner consistent with the Settlement Agreement.
6. All settled claims are **DISMISSED** subject to the terms of the Settlement Agreement.

Dated at Milwaukee, Wisconsin on June 24, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG
United States District Judge